

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Creedon Controls, Inc., a Delaware corporation,)
) C. A. No. 05CV300 (JJF)
Plaintiff,)
)
v.)
)
Banc One Building Corporation, an Illinois)
corporation; and Forest Electric Corporation, a)
New York corporation,)
)
Defendants.)

PLAINTIFF'S MOTION FOR EXTENSION OF TIME FOR BRIEFING

COMES NOW, Plaintiff, Creedon Controls, Inc. (hereinafter "CCI"), by and through its undersigned attorneys, and respectfully moves this Court for a brief extension of time within which CCI may file its Answering Brief, for the Motion for Summary Judgment filed by Defendant Banc One Building Corporation ("BOBC") (D.E. 155), and the Partial Motion for Summary Judgment filed by Defendant Forest Electric Corporation ("FEC") (D.E. 121). The bases of this motion are as follows:

1. CCI requests a one-week extension for the time it must file its Answering Brief for the Motion for Summary Judgment filed by BOBC, and the Motion for Partial Summary Judgment filed by FEC, from July 28 to August 4, 2006 for the BOBC motion; and from August 1 to August 8, 2006 for the Forest motion.
2. Counsel for FEC is on vacation, and could not be reached in order to ascertain his position with regard to this request. Counsel for BOBC does not oppose a reasonable extension, so long as all parties continue to be required to file their briefing in the same order as if no extensions had been granted. Since CCI requests an extension, BOBC would request a similar

extension, so that BOBC and CCI are filing their respective Answering Briefs to the FEC motion on the same day.

3. This extension is requested by CCI, in that: (a) hundreds of pages of deposition transcripts were received in the last week of June, 2006; (b) thousands of pages of new documents received from Tishman Construction Corporation of Maryland were received in the last week of June and the first week of July, 2006; (c) in light of vacation schedules of counsel for CCI; and (d) the need for further time to adequately address the many facts and legal issues considered in such motions.

4. CCI requests that the briefing be extended in accordance with the attached and proposed Order.

WHEREFORE, it is respectfully requested that the briefing schedule be extended as set forth in the attached schedule.

**COHEN, SEGLIAS, PALLAS, GREENHALL
& FURMAN, P.C.**



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Date: 7/28/06
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